

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

KATHRYN HANNEMANN,

Plaintiff,

-vs-

Case No. 14-C-866

**UNITED STATES SMALL BUSINESS
ADMINISTRATION,**

Defendant.

DECISION AND ORDER

Kathryn Hannemann requests leave to proceed *in forma pauperis* in connection with this suit against the United States Small Business Administration. After reviewing her financial affidavit, the Court concludes that Ms. Hannemann is unable to afford the fee to initiate this lawsuit. 28 U.S.C. § 1915(a)(1). Therefore, her motion for IFP status will be granted. The Court must now screen Hannemann's complaint to determine whether it can go forward. § 1915(e)(1)(B).

Hannemann alleges that the SBA's debt collection activities are barred by its own operating rules. In a corresponding motion, Hannemann requests "temporary injunctive relief from SBA garnishment and return of garnishment monies." The Small Business Act includes a "sue and be sued" provision, but courts have no jurisdiction to award injunctive relief against the SBA. 15 U.S.C. § 634(b)(1) (SBA administrator may "sue and be sued" but "no attachment, injunction, garnishment, or

other similar process, mesne or final, shall be issued against the Administrator or his property”); *J.C. Driskill, Inc. v. Abdnor*, 901 F.2d 383, 386 (4th Cir. 1990); *Enplaner, Inc. v. Marsh*, 11 F.3d 1284, 1290 (5th Cir. 1994); *Little v. United States*, 489 F. Supp. 1012, 1016 (C.D. Ill. 1980). Therefore, Hannemann’s complaint fails to state an actionable claim for relief.

IT IS HEREBY ORDERED THAT Hannemann’s motion for leave to proceed IFP [ECF No. 2] is **GRANTED**; her motion for temporary injunctive relief [ECF No. 3] is **DENIED**; and this matter is **DISMISSED**.

Dated at Milwaukee, Wisconsin, this 11th day of August, 2014.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge